S.B. CRIMINAL MISC.2nd BAIL APPL.NO.4270/2007.

Vinod Kumar Versus State

Date of Order : 5/7/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Ms. Nisha Sharma for the applicant-petitioner.
Mr. B.L. Awasthi, P.P. for the State.

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Heard learned counsel for the petitioner as well as learned Public Prosecutor for the State and perused the the application for correction in the cause title with the prayer that address of the petitioner as indicated in the cause title should be allowed to be corrected.

In the rejection order of the petitioner by the court of sessions the name of the petitioner, his parentage and address was mentioned as Vinod Kumar son of Johari Lal, by caste Meena, resident of Piloda, Police Station Vajirpur, District Sawai Madhopur was mentioned and same address was indicated in his bail application bearing S.B.Cr.Misc.Bail Application No.2401/07 which was rejected

by this Court on 19/4/2007. Subsequent to filing of the challan however, when the second bail application was filed, though the name of the petitioner, parentage and address was indicated correctly but his address was erroneously mentioned as R/o Kherdi Mod, P.S. Talamore, District Rohtak, Haryana.

Learned counsel for the petitioner argued that this is so happened due to the typographical error inadvertently committed by the typist while typing the second bail application. Name of the petitioner in the challan filed by the police appears at Sr.No.10 with correct name and address but typist while preparing bail application inadvertently incorporated the address of accused Satish Kumar whose name appears at Sr.No.11. Due to this reason, learned trial court has refused to enlarge the petitioner on bail because different address came to be indicated in the cause title of this second bail application. Alongwith the application for correction, the amended cause title has also been filed.

In the facts and circumstances of the case, the application for correction is allowed and the amended cause title is directed to be taken on record.

It is, therefore, directed that certified copy of the order dated 28/6/2007 with correct cause title shall now be issued on application to the petitioner for his release forthwith.

(MOHAMMAD RAFIQ), J.

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